

11042 U.S. PTO
06/08/01

06-11-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 5899-A-05
(Cont. A-01)

Date: June 8, 2001

Anticipated Classification
of this application:

Class ____ Subclass ____

Prior application:

Examiner: D. Ruddy
Art Unit: 3739

11000 U.S. PTO
09/878307
06/08/01

Express Mail Label No. EL 8116743135US

Date of Deposit June 8, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

Ruth Holbrook
Ruth Holbrook

Asst. Commissioner for Patents
Washington, D.C. 20231
BOX PATENT APPLICATION

Dear Sir:

This is a request for filing a continuation application under 37 C.F.R. §1.53(b) of pending prior application Serial No. 08/873,999, filed June 12, 1997, of Garth W. Gobeli for "METHOD AND DEVICE FOR GLUCOSE CONCENTRATION MEASUREMENT WITH SPECIAL ATTENTION TO BLOOD GLUCOSE DETERMINATIONS".

1. X Enclosed is a copy of the prior application, including the oath or Declaration dated March 6, 1998 as filed March 9, 1998 and a Declaration verifying it as a true copy.
- 1a X Enclosed is a copy of a "PETITION FOR FILING BY OTHER THAN THE INVENTOR UNDER 37 C.F.R. § 1.47(b)" and a copy of a "DECISION ACCORDING STATUS UNDER 37 C.F.R. 1.47(a)".
2. X A copy of a "Verified Statement Claiming Small Entity Status" document dated March 6, 1998 as filed in the prior application is enclosed.
3. X The filing fee is calculated as shown below:

CLAIMS AS FILED INCLUDING PRELIMINARY AMENDMENT

Total Claims 19 - 20 = 0 x \$9.00 = \$.00

Independent

Claims 5 - 3 = 2 x \$40.00 = \$ 80.00

Basic Filing Fee \$355.00

Total Filing Fee \$435.00

4. X The Commissioner is hereby authorized to charge any additional fees which may be required by this paper to Deposit Account No. 03-0088 and to credit any overpayment to this Deposit Account. Two (2) duplicate copies of this sheet are enclosed.
5. X A check in the amount of \$435.00 is enclosed for the filing fee for a small entity.
6. X Cancel in this application original Claims 2-43 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. X Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 08/873,999, filed June 12, 1997 entitled "METHOD AND DEVICE FOR GLUCOSE CONCENTRATION MEASUREMENT WITH SPECIAL ATTENTION TO BLOOD GLUCOSE DETERMINATIONS"--.
8. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application filed. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 8a. X Nine (9) sheets of formal drawings (Figs. 1-13) are enclosed.
- 8b. Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.
- The certified copy has been filed in prior application Serial No. , filed .
9. X The prior application is assigned to TECMED, INCORPORATED (a New Mexico corporation). A copy of this Assignment and respective Recordation Cover Sheet are enclosed.
10. X The Power of Attorney in the prior application is to: Charles R. Hoffman, Reg. No. 26,556; William C. Cahill, Reg. No. 19,742; C. Robert von Hellens, Reg. No. 25,714; Marvin A. Glazer, Reg. No. 28,801; and Thomas G. Watkins, III, Reg. No. 27,964; CAHILL, SUTTON & THOMAS P.L.C.
- 10a. X The above Power of Attorney was filed in the prior application.
- 10b. X A copy of the Power of Attorney in the prior application is enclosed.
- 10c. X Address all future communications to: Charles R. Hoffman, Esq., CAHILL, SUTTON & THOMAS P.L.C., 2141 East Highland Avenue, 155 Park One, Phoenix, Arizona 85016

Sent by: CAHILL SUTTON

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11. X A Preliminary Amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
12. X A Declaration of Charles R. Hoffman is enclosed.
13. X An "Information Disclosure Statement" filed in the parent application on June 12, 1997, accompanied by a copy of PTO Form 1449, and a "Supplemental Information Disclosure Citation" filed in the parent application on November 12, 1998, accompanied by a copy of PTO Form 1449", are enclosed. Copies of all the listed references were previously forwarded to the Patent Office and are on file with the parent application (Serial No. 08/873,999).

The undersigned declare further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 8, 2001

Date

Charles R. Hoffman

Charles R. Hoffman, Reg. No. 26,556

Address of signator:

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155 Park One
Phoenix, Arizona 85016
(602) 956-7000

- ☐ Inventor(s)
- ☐ Assignee of complete interest
- ☒ Attorney or agent of record
- ☐ Filed under Rule 34(a)